



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, June 21, 2022

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville Maryland at 9:00 A.M. on Tuesday, June 21, 2022.

### PRESENT

Councilmember Gabe Alborno, President	Councilmember Evan Glass, Vice President
Councilmember Andrew Friedson	Councilmember Tom Hucker
Councilmember Will Jawando	Councilmember Sidney Katz <i>virtually</i>
Councilmember Nancy Navarro <i>virtually</i>	Councilmember Craig Rice <i>virtually</i>
Councilmember Hans Riemer	

The President in the Chair.

### PRESENTATIONS

- A. Proclamation was presented by Council President Alborno, Councilmember Katz, and County Executive Elrich recognizing Elder Abuse Awareness Month.
- B. Proclamation was presented by Councilmember Jawando commemorating Juneteenth.

The Council held a moment of silence in memory of former Board of Education member Reginald Felton, who recently passed away.

### GENERAL BUSINESS

- A. **Announcements** - Agenda and Calendar Changes

Ms. Rupp, Clerk of the Council, announced that the public hearing on **Expedited Bill 20-22**, Office of Food Systems Resilience - Established, will be held on June 28, 2022, at 1:30 P.M.; and that action on **Expedited Bill 16-22**, Special Capital

Improvements Project - 6<sup>th</sup> District Police Station is tentatively scheduled for June 28, 2022.

(1) B. **Acknowledgement** – [Receipt of Petitions](#)

There were no petitions received this week.

C. **Action** - Approval of Minutes: May 3, 9, 10, 11, 12, 13 and 19, 2022, and Bi-County Meeting, May 12, 2022.

The minutes were approved without objection.

(2) **PRESENTATION** - [Report of the Charter Review Commission \(CRC\)](#)

Mr. Margolies, Chair, CRC, and Senior Legislative Attorney Wellons participated in the discussion.

Mr. Margolies presented the 2022 report of the CRC, noting that three issues are preliminarily recommended for a Charter amendment for the Council's consideration: 1) irreconcilable ballot amendments, 2) residency requirement for County Executive and Councilmembers, and 3) grounds for removal of County Executive and Councilmembers.

Mr. Alborno requested Council staff provide further analysis on grounds for removal of the County Executive and Councilmembers.

Mr. Friedson suggested the role of the County Attorney, noting the dual responsibility of the County Attorney to the County Executive and the County Council, be subject to further investigation by Council staff for future consideration by the CRC.

Mr. Glass questioned whether the actual makeup of the CRC should be examined, noting that no more than six members of one political party can serve on the CRC which is not fully representative of Montgomery County.

Ms. Navarro requested Council staff examine how signatures are collected for ballot measures to ensure the County's diverse communities can fully understand and can participate in the democratic process. Mr. Jawando suggested the CRC review possible ways to provide clear language on ballot measures to ensure residents have adequate knowledge of the issues. Mr. Glass commented that 10,000 signatures, less than one percent of County residents, are required to get a measure on the ballot.

(3) **DISTRICT COUNCIL SESSION**

A. **Update - [Thrive Montgomery 2050 Plan](#)**

Participating in the discussion were Ms. Dunn, Senior Legislative Analyst; Ms. Hicks, President, Mr. Exantus, Managing Associate, and Mr. Armendariz, Senior Planner, CHplanning and Nspiregreen; and Mr. Brown, Mr. Brigham, and Ms. SESCOE, Public Engagement Associates.

In his opening remarks, Mr. Riemer, Chair of the Planning, Housing, and Economic Development (PHED) Committee, said the Plan calls for a range of solutions to provide affordable housing and promote housing equity in the County.

Ms. Dunn confirmed that the report from the consultants is due on September 1, 2022, per the contract, but there is flexibility if the contract needs to be extended. Mr. Friedson requested a specific internal and external deadline for the report receipt and public's view, and also requested a schedule to be set in July for topics for each discussion session in the fall. Mr. Friedson also noted that if an implementation chapter is included, it should include the expectations for the process to develop plans for implementation. Mr. Katz commented on the need for zoning to change in order to implement the Plan and that the public needs to be more involved in the process.

Mr. Riemer proposed adding three stand-alone chapters back into the Plan to reflect Racial Equity and Social Justice, the environment, and economic development, which was supported without objection.

Mr. Albornoz requested a list of internal and external organizations that the consultants plan to engage with to coordinate resident outreach and engagement.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #16**

(4) **Introduction of Bills:**

A. **[Bill 17-22, Public Ethics Law - Amendments](#)**

Introduced draft #1 of **Bill 17-22**, sponsored by the Council President at the request of the Ethics Commission. A public hearing is scheduled for July 26, 2022, at 1:30 P.M.

B. **[Bill 19-22, Bond Authorization](#)**

Introduced draft #1 of **Bill 19-22**, sponsored by the Council President at the request of the County Executive. A public hearing is scheduled for July 12, 2022, at 1:30 P.M.

C. [Expedited Bill 20-22, Office of Food Systems Resilience - Established](#)

Introduced draft #1 of **Bill 20-22**, sponsored by the Council President at the request of the County Executive. A public hearing is scheduled for June 28, 2022, at 1:30 P.M.

(5) **Call of Bills for Final Reading:**

A. [Expedited Bill 7-22, Fire and Rescue Services - Credited Service for Group G Members](#)

Supported amending lines 23-27 as follows:

(B) The amount of the credited service must be:

(i) 12 months of credited service, for 7 years of County service

[[in the uniformed services of the United States]]; or

(ii) 24 months of credited service, for 15 years of County service

[[in the uniformed services of the United States]].

Mr. Friedson made the motion, which carried without objection.

Enacted draft #2 of **Expedited Bill 7-22**, as amended and shown at the end of these minutes.

Mr. Katz made the motion and the Expedited Bill was enacted by a roll call vote:

YEAS: Katz, Jawando, Riemer, Hucker, Navarro, Friedson, Glass, Albornoz.  
ABSENT: Rice (temporarily).

B. [Expedited Bill 8-22, Fire and Rescue Services - Length of Service Awards Program for Volunteers - Amendments](#)

Enacted draft #1 of **Bill 8-22**, as introduced.

Mr. Glass made the motion and the Bill was enacted by a roll call vote:

YEAS: Katz, Jawando, Riemer, Hucker, Navarro, Friedson, Glass, Albornoz.  
 ABSENT: Rice (temporarily).

(6) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Mr. Jawando made the motion, which carried without objection. Mr. Rice was temporarily absent.

- A. **Introduced a resolution to consolidate previously authorized notes for sale and issuance as a single issue.** Action is tentatively scheduled for July 12, 2022.
- B. **Introduced a special appropriation to the County Government's FY22 Operating Budget, Montgomery County Public Schools, \$7,626,595 for Title I, Part A Grant.** Public hearing/action is scheduled for June 28, 2022, at 1:30 pm.
- C. **Introduced a supplemental appropriation and amendments to the County Government's FY23 Capital Budget and FY23-28 Capital Improvements Program, Montgomery County Public Schools, Major Capital Projects - Secondary, \$12,000,000.** An Education and Culture (E&C) Committee worksession is scheduled for June 27, 2022 and a public hearing/action is scheduled for July 12, 2022, at 1:30 pm.
- D. **Received and Released - Office of Legislative Oversight Memorandum Report 2022-7, Montgomery County Businesses' Composition**
- E. **Acknowledge Receipt - The Council acknowledges receipt of the following Inspector General Reports: 1) Criminal Background Investigations - Department of Recreation, OIG Publication #22-014; and 2) Memorandum of Investigation: Retention of Employee Health Insurance Premiums by MCPS**
- F. **Adopted Resolution 19-1309, approving the Tax Supported Fiscal Plan Summary for the FY23-28 Public Services Program**
- G. **Adopted Resolution 19-1310, confirming the County Executive's appointment to the Racial Equity and Social Justice Advisory Committee: John Landesman**
- H. **Adopted Resolution 19-1311, Executive Regulation 2-22, Montgomery College Germantown Campus Regional Institution Strategic Enterprise Zone**

The Council recessed at 12:18 P.M. and reconvened at 12:35 P.M.

### **Meeting with Regional Services Center Directors**

The County Council for Montgomery County, Maryland convened in the Capital Crescent Trail Conference Room, Stella B. Werner Council Office Building, Rockville Maryland.

Participating in the discussion were Mr. Wims, Director, Upcounty Regional Services Center; Mr. Newman, Director Silver Spring Regional Services Center; Ms. Kassiri, Deputy Chief Administrative Officer; and Mr. Hartman, Director of Strategic Partnerships.

In an effort to allow more discussion, the Council met with two Regional Services Center Directors (RSCs) representing Upcounty and Silver Spring and will meet with RSCs from Bethesda-Chevy Chase, East County and Mid-County in September 2022.

Received an update from Mr. Newman on Clean and Safe initiatives and nighttime security coverage in Silver Spring and highlighted the work of Mr. Carson Henry, Chief of Operations of the Silver Spring Urban District. Noted five additional staff added to the Silver Spring Clean and Safe Team, graffiti removal on Fenton Street, lighting by Kennett Street Garage, mobile security cameras to enhance policing and surveillance, and increased State police presence to deter aggressive and drunk driving.

Mr. Wims provided an update on community engagement specifically with youth and parents in light of recent public safety incidents. Community events included a town hall on public safety at the Black Rock Center for the Arts with elected officials, parents, and students on bullying; a vaccine booster event with Salud y Bienestar and Montgomery County Public Schools (MCPS); a town hall with Dr. Crowel, Director, DHHS on health and human services to rural communities; and a meeting with Damascus business leaders on redevelopment of downtown Damascus and the reopening of the historic Druid Theater.

The Council recessed at 1:20 P.M. and reconvened at 1:31 P.M.

- (7) **PUBLIC HEARING - [Expedited Bill 9-22, Property Tax Credit - Elderly Individuals and Retired Military Services Members - Amendments](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 23, 2022. Action is tentatively scheduled for June 28, 2022.

- (8) **PUBLIC HEARING - [Expedited Bill 15-22, Special Capital Improvements Project Legislation Authorization: Kennedy Shriver Aquatic Center Building Envelope Improvement \(P721503\)](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 23, 2022. Action is tentatively scheduled for June 28, 2022.

- (9) **PUBLIC HEARING - [Expedited Bill 16-22, Special Capital Improvements Project - 6<sup>th</sup> District Police Station \(P470301\)](#)**

The public hearing was conducted. Additional material for the Council's consideration should be submitted by the close of business on June 23, 2022. Action is tentatively scheduled for June 28, 2022.

- (10) **PUBLIC HEARING/ACTION – [Supplemental Appropriation to the County Government's FY22 Capital Budget, and Amendment to the FY21-26 Capital Improvements Program, Montgomery County Government, \\$909,000 for the Appellate Court Judges Chambers project](#)**

The public hearing was conducted and the record closed.

Adopted **Resolution 19-1312**, approving the subject supplemental appropriation and Capital Improvements Program (CIP) amendment.

Mr. Reimer made the motion which carried without objection among those present. Mr. Rice was temporarily absent.

- (11) **INTERVIEWS - [County Executive's appointments for the Police Accountability Board](#)**

Participating in the discussion were Dr. Stoddard, Assistant Chief Administrative Officer; Ms. Hudson, Mr. Kellner, Mr. Lluberes, Mr. Logan, Ms. Manning, Mr. McCray, Mr. Williams, Jr., Mr. Zatrutz, and Bishop Walker, candidates for the Police Accountability Board.

Interviewed candidates nominated by the County Executive for the Police Accountability Board.

The meeting adjourned at 3:18 P.M.

This is an accurate account of the meeting:

  
\_\_\_\_\_  
Judy Rupp  
Clerk of the Council



Bill No. 7-22  
 Concerning: Fire and Rescue Services –  
 Credited Service for Group G Members  
 Revised: 06/21/2022 Draft No. 2  
 Introduced: April 19, 2022  
 Enacted: June 21, 2022  
 Executive: [date signed]  
 Effective: [date takes effect]  
 Sunset Date: [date expires]  
 Ch. [#], Laws of Mont. Co. [year]

**COUNTY COUNCIL  
 FOR MONTGOMERY COUNTY, MARYLAND**

---

By: Council President at the Request of the County Executive

---

**AN EXPEDITED ACT** to:

- (1) permit County employees enrolled in Group G of the Employees’ Retirement System to receive credited years of service with the County based upon prior years of military service; and
- (2) generally amend the law regarding retirement benefits for paid firefighters, paid fire officers, and paid rescue service personnel.

By amending

Montgomery County Code  
 Chapter 33, Personnel and Human Resources  
 Section 33-41

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

~~The County Council for Montgomery County, Maryland approves the following Act~~

**Sec. 1. Section 33-41 is amended as follows:**

**33-41. Credited service.**

\* \* \*

(e) *Credited service for prior military service.*

(1) In this subsection, “uniformed services” means the United States Army, Navy, Air Force, Marine Corps, Coast Guard, the commissioned corps of the National Oceanic and Atmospheric Administration and the Public Health Service of the United States, and active duty service in the National Guard of any state of the United States.

(2) A member with 5 years of membership in the Employees Retirement System enrolled or re-enrolled on or after July 1, 1978, may obtain credited service for all or part of any military service in the uniformed services of the United States up to a maximum of 48 months. A member exercising this option must pay, in a lump sum or on an extended payment basis, the full actuarial cost for these service credits.

(3) Group G.

(A) A Group G member may obtain credited service for all or part of any military service in the uniformed services of the United States, at no cost to the employee, up to a maximum of 24 months.

(B) The amount of the credited service must be:

(i) 12 months of credited service, for 7 years of County service

[[in the uniformed services of the United States]];

or

(ii) 24 months of credited service, for 15 years of County service

[[in the uniformed services of the United States]].

(C) The credited service must be applied when the years-of-service threshold under subparagraph (B) is reached.

\* \* \*

**Sec. 2. Expedited Effective Date.** The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

*Approved:*

/s/ 6/24/2022

---

Gabriel Albornoz, President, County Council

Date

*Approved:*

---

Marc Elrich, County Executive

Date

*This is a correct copy of Council action.*

---

Judy Rupp, Clerk of the Council

Date

Bill No. 8-22  
 Concerning: Fire and Rescue Services –  
Length of Service Awards Program for  
Volunteers - Amendments  
 Revised: 4/13/2022 Draft No. 1  
 Introduced: April 19, 2022  
 Enacted: June 21, 2022  
 Executive: \_\_\_\_\_  
 Effective: \_\_\_\_\_  
 Sunset Date: None  
 Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

---

Lead Sponsor: Council President at the request of the County Executive

---

**AN EXPEDITED ACT** to:

- (1) expand eligibility for length of service benefits to certain local fire and rescue department volunteers;
- (2) increase the amount of the length of service benefits to certain local fire and rescue department volunteers; and
- (3) generally amend the law regarding local fire and rescue department volunteers.

By amending

Montgomery County Code  
 Chapter 21, Fire and Rescue Services  
 Section 21-21

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

~~The County Council for Montgomery County, Maryland approves the following Act:~~

**Sec. 1. Section 21-21 is amended as follows:**

**21-21. Length of service award program for volunteers**

\* \* \*

(c) *Length of service benefits.*

\* \* \*

(6) A volunteer must receive a 2.5% increase, for a maximum benefit of no more than \$382.18 per month, to his or her LOSAP benefit payment effective June 20, 2021, [and] a 2.5% increase effective July 1, 2021, for a maximum LOSAP monthly benefit payment of no more than \$391.73, and a 2.5% increase effective July 1, 2022, for a maximum LOSAP monthly benefit payment of no more than \$401.52 if he or she:

(A) received LOSAP benefit payments as of December 31, [2015] 2019; and

(B) qualified for the higher nominal fee as described in Article 12 of the fire and rescue volunteers collective bargaining agreement, for calendar year [2015] 2019 by:

(i) being on the Integrated Emergency Command Structures (IECS) certified list;

(ii) receiving 30 LOSAP points for department and station responses; and

(iii) receiving 20 LOSAP points for sleep-in or stand-by service.

\* \* \*

**Sec. 2. Expedited Effective Date.** The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

*Approved:*

*/s/* 6/24/2022

---

Gabriel Albornoz, President, County Council

Date

*Approved:*

---

Marc Elrich, County Executive

Date

*This is a correct copy of Council action.*

---

Judy Rupp, Clerk of the Council

Date